

United States Court of Appeals For the First Circuit

No. 17-2211

CYNTHIA L. MERLINI,

Plaintiff, Appellant,

v.

CANADA,

Defendant, Appellee.

JUDGMENT

Entered: June 10, 2019

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts and was argued by counsel.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: The District Court's grant of Canada's motion to dismiss is reversed, and the matter is remanded for further proceedings consistent with the opinion issued this day. The parties shall bear their own costs.

By the Court:

Maria R. Hamilton, Clerk

cc:

Hon. Nathaniel M. Gorton

Robert Farrell, Clerk, United States District Court for the District of Massachusetts

Theodore Joel Folkman

Chrisann Leal

John Fontana Cooney

Benjamin E. Horowitz

Sharon Swingle

Andrew E. Lelling

Noel J. Francisco

Michael Shih